

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES

v.

BRUCE WEHRLE,

Defendant

Crim. No. 06-775 (SRC)

**ORDER**

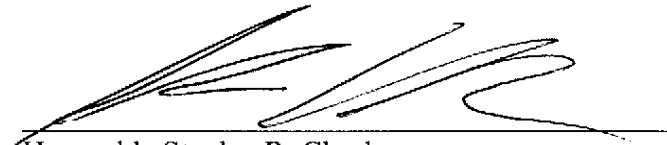
This matter having come before the Court on the motion of defendant, Bruce Wehrle, to reduce his sentence pursuant to Federal Rule of Civil Procedure 60(b) or, in the alternative, 18 U.S.C. § 3582(c)(2); and the Court having considered the defendant's brief in support of the motion and the Government's opposition to the defendant's motion; and it appearing that on September 25, 2006, the defendant plead guilty to a one-count information charging him with distributing and possession with intent to distribute fifty or more grams of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(viii), and 18 U.S.C. § 2; and it further appearing that on January 8, 2007, this Court sentenced defendant Wehrle to a term of incarceration of ninety months; and it further appearing that defendant Wehrle neither appealed nor collaterally challenged his sentence; and the Court having concluded that Federal Rule of Civil Procedure 60(b) is limited to civil judgments and does not apply to criminal judgments, and therefore does not provide relief to defendant Wehrle; and the Court further having concluded that 18 U.S.C. § 3582(c)(2) does not apply to defendant Wehrle because the United States Sentencing Commission did not lower the applicable guideline range, specifically U.S.S.G. § 2D1.1(c)(7), after defendant Wehrle's sentencing; and for the reasons set forth in the Government's brief filed on October 9, 2009;

IT IS on this 15 day of October, 2009,

ORDERED that the motion of defendant Bruce Wehrle to reduce his sentence pursuant to Federal Rule of Civil Procedure 60(b) or, in the alternative, 18 U.S.C. § 3582(c)(2), be and

hereby is DENIED.

SO ORDERED.

A handwritten signature in black ink, consisting of several fluid, overlapping strokes, positioned above a horizontal line.

Honorable Stanley R. Chesler  
United States District Judge